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Supreme Court, U. S.

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MICHAEL ROBAK, JR., CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM 1971

No. 71-1336

IN RE APPLICATION OF FREDERICK POOLS GRIFFITHS
FOR ADMISSION TO THE BAR,

Appellant.

ON APPEAL FROM THE SUPREME COURT OF CONNECTICUT

APPENDIX

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INDEX

	PAGE
Chronological List of Relevant Docket Entries	1
Petition, Filed May 27, 1970	2
Order to Show Cause, May 27, 1970	6
Order, July 10, 1970	7
Request for Admission of Documents, Filed September 15, 1970	9
Notice of Exhibit, Filed October 5, 1970	11
Exhibits	12
Exhibit A—Copy of Section 8, <i>Connecticut Practice Book</i>	12
Exhibit B—Application for admission to the Bar, March 2, 1970, with supporting documents, original on file, Superior Court, New Haven County	15

Exhibit C—Transcript of hearing before Committee on Recommendations, Re: Fre Le Poole Griffiths, May 4, 1970	30
Exhibit D—Letter, May 6, 1970, from Committee on Recommendations for Admission, indication application not approved because of citizenship requirement	39
Exhibit E—Request for Certification Made May 22, 1970 at Meeting of New Haven County Bar meeting	40
Exhibit F—Transcript of Bar Meeting, New Haven County, May 22, 1970	42
Exhibit G—Affidavit verifying Application in case No. 123738, In re Application of Fre Le Poole Griffiths	45
Memorandum of Decision, filed December 21, 1970, is contained at pages 17-20 of the Appendix to the Jurisdictional Statement.	
Judgment, filed December 21, 1970, is contained at page 21 of the Appendix to the Jurisdictional Statement.	
Opinion, Connecticut Supreme Court, is contained at pages 22 through 39 of the Appendix to the Jurisdictional Statement.	
Judgment, Connecticut Supreme Court, filed February 15, 1972, is contained at page 40 of the Appendix to the Jurisdictional Statement.	

Chronological List of Relevant Docket Entries

- May 27, 1970— Petition filed in Superior Court, New Haven, Connecticut. Order to show cause issued and served.
- September 14, 1970— Appearance filed by State Bar Examining Committee.
- September 15, 1970— Petitioner files Request for Admission of Documents, being Exhibits A through N.
- October 5, 1970— Petitioner files Notice of Exhibit.
- December 21, 1970— Superior Court files Memorandum of Decision and enters Judgment.
- December 30, 1970— Petitioner files Appeal and Assignment of Errors.
- February 11, 1971— Record from Superior Court filed in Supreme Court of Connecticut.
- February 15, 1972— Opinion and Judgment of Connecticut Supreme Court filed.
- February 18, 1972— Notice of Appeal to Supreme Court of United States filed.
- April 17, 1972— Jurisdictional Statement filed.
- June 7, 1972— Probable Jurisdiction Noted

Petition

(Filed May 27, 1970)

SUPERIOR COURT**NEW HAVEN COUNTY****May 22, 1970**

**In re: application of FRE LE POOLE GRIFFITHS
for admission as an Attorney.**

To the Honorable Superior Court of the State of Connecticut, County of New Haven:

You petitioner, Fre Le Poole Griffiths, an applicant for admission as attorney in the State of Connecticut, alleges:

- 1. That she is a resident and taxpayer of the Town of New Haven, County of New Haven, State of Connecticut.**
- 2. Except as set out below, that she has complied with all of the rules of this Court regulating the admission of applicants to the Connecticut Bar.**
- 3. That on or about March 2, 1970, she did file with the Clerk of Superior Court for New Haven County a Notice of Intention and Application for admission as attorney, and she did pay the necessary fee to the Clerk of the Superior Court.**
- 4. That the application for admission as an attorney was incomplete in that no affidavit was filed that the applicant was a citizen of the United States.**

5. That the petitioner hereby refers to and incorporates by reference herein as if fully set forth, all papers now on file in the office of the Clerk of this Court in support of petitioner's application for admission to the Bar of this State.

6. That the Standing Committee on Recommendations for Admission to the Bar of New Haven County, on or about May 4, 1970, interviewed the petitioner and reviewed her application, and received evidence of her intention to practice law in Connecticut, and, subsequently found that the petitioner had failed to comply with the rules of the Superior Court relating to admission to the Bar in the State of Connecticut, and recommended to the Bar of New Haven County, that the petitioner be denied such admission to practice in this State.

7. That at the meeting of the Bar of New Haven County, held in the Courthouse in New Haven, on May 22, 1970, the report of the aforesaid Standing Committee on Recommendations for admissions to the Bar, denying admission to the Petitioner to said Bar was duly presented to the members of the Bar of New Haven County then present and the members of said Bar voted to accept the report of the Standing Committee on admissions denying Petitioner's Application, and duly confirmed the same.

8. That at the meeting of the Bar mentioned above, a Motion to Admit the Petitioner notwithstanding the recommendation of the Standing Committee was defeated.

9. That the Standing Committee on Recommendations for Admission to the Bar of the State of Connecticut of New Haven County, above referred to, and the Bar of New

Haven County, confirming said report and denying the application of the petitioner to be admitted to the Bar of the State of Connecticut, did deny said petition because of the fact that the petitioner did not meet the requirements pertaining to United States Citizenship, as set forth in Rule 8(1) of the Rules of the Superior Court.

10. That Rule 8(1) of the Rules of the Superior Court requires that a petitioner be a citizen of the United States.

11. The petitioner is not a citizen of the United States, and is a citizen of the Netherlands.

12. The petitioner is being denied the right to take the Bar examination, and denied the right for admission to the Bar on the ground that she is not a citizen of the United States.

13. This is an appropriate case for the Superior Court to use its inherent power to waive Rule 8(1) in order to avoid injustice to petitioner.

14. Rule 8(1) of the Superior Court Rules discriminates unreasonably against aliens situated as is petitioner, depriving them thereby of their constitutional right to equal protection.

a) Superior Court Rule 8(1) is to be subjected to a strict standard of review, and the presumption is against its validity.

b) All forms of discrimination against aliens as a class which had once been upheld have been struck down when reconsidered more recently.

c) Rule 8(1) unreasonably discriminates against aliens.

15. Superior Court Rule 8(1) interferes with the federal power over immigration.

16. Superior Court Rule 8(1) as applied to petitioner, violates international public policy and the First Amendment of the United States Constitution by burdening petitioner's right freely to determine her nationality.

Wherefore, your petitioner respectfully prays for a hearing on her Petition and that this Honorable Court will decree that the Petitioner be admitted to take the examination as a candidate for the Bar of the State of Connecticut and of New Haven County, and that she be declared eligible as for admission to the Bar of the State of Connecticut and County of New Haven, and that she has such other further relief as the Court may deem just and necessary.

The Petitioner

By DAVID BROILES

JACOBS, JACOBS, GRUDBERG
& CLIFFORD

Her Attorneys

(Filed: May 27, 1970.)